

ASSEMBLY BILL

No. 1941

Introduced by Assembly Member Fletcher

February 17, 2010

An act to amend Section 4022 of the Business and Professions Code, relating to pharmacy.

LEGISLATIVE COUNSEL'S DIGEST

AB 1941, as introduced, Fletcher. Pharmacy: dangerous drug or device.

Existing law, the Pharmacy Law, provides for the licensure and regulation of the practice of pharmacy by the California State Board of Pharmacy. Existing law defines “dangerous drug” or “dangerous device” for the purposes of this law.

This bill would make a nonsubstantive, technical change to that definition.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4022 of the Business and Professions
- 2 Code is amended to read:
- 3 4022. “Dangerous drug” or “dangerous device” means any
- 4 drug or device unsafe for self-use in humans or animals, and
- 5 includes *all of* the following:
- 6 (a) Any drug that bears the legend: “Caution: federal law
- 7 prohibits dispensing without prescription,” “Rx only,” or words
- 8 of similar import.

1 (b) Any device that bears the statement: “Caution: federal law
2 restricts this device to sale by or on the order of a _____,” “Rx
3 only,” or words of similar import, the blank to be filled in with the
4 designation of the practitioner licensed to use or order use of the
5 device.

6 (c) Any other drug or device that by federal or state law can be
7 lawfully dispensed only on prescription or furnished pursuant to
8 Section 4006.